

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30564 of 2022

Arising Out of PS. Case No.-197 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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1. SUBODH BARNWAL @ SUBODH KUMAR SON OF LATE RAM DARSHAN PRASAD R/O-VILL- DALSINGHSARAI, P.S.- DALSINGHSARAI, DIST.- SAMASTIPUR
 2. MANOJ BARNWAL @ MANOJ KUMAR SON OF LATE MAHENDRA PRASAD R/O- VILL- CHRISTIAN QUARTER, P.S.- KALIBAGH, DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no.2 is a person with clean antecedent and petitioner no.1 has antecedent of one case and allegation is of recovery of 37.800 liters of liquor from a plastic sack from the house of petitioner no.1.

Learned counsel for the petitioners submits that the



petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that admittedly from perusal of the allegation as alleged in the F.I.R. it would manifest that nothing was recovered from the house of petitioner no.1 but still petitioner no.1 has been implicated based on secret information. It is further submitted that petitioner no.1 has a joint family property as such it cannot be alleged that it was the petitioner who had kept the liquor in the house and both the petitioners came to be implicated based on secret information which is the easiest way to implicate any person.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bettiah Town (Kalibagh O.P.) P.S. Case No. 197 of 2022 subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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